	Business	Time allotted
1.	Consideration and passing of the following Bills:—	
	(a) The Legal Metrology Bill, 2008.	2 hours
	(b) The National Commission for Heritage Sites Bill, 2009.	3 hours
2.	Consideration and passing of the Workmen's Compensation (Amendment) Bill, 2009, as passed by Lok Sabha.	3 hours
3.	Consideration and passing of the following Bills, after they are passed by Lok Sabha:—	
	(a) The Central Universities (Amendment) Bill, 2009 — To replace Ordinance.	2 hours
	(b) The Essential Commodities (Amendment and Validation) Bill, 2009 — To replace Ordinance.	4 hours

STATEMENT BY MINISTER

Visit of Central Team to West Bengal

THE MINISTER OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): Mr. Deputy Chairman, Sir, I understand that some hon. Members wish to know whether and, if so, why a Central team is proposed to be sent to West Bengal.

Sir, I have been in touch with the Chief Minister of West Bengal on more than one occasion in the last few months. We are both committed to working together to ensure that law and order is maintained in West Bengal and, particularly, inter-party clashes do not take place. Sir, we had exchanged letters, and there was a good working relationship. But in view of recent incidents, I suggested to him that he should do another review. He has told me that another review will be done and he will keep in touch with me.

We, then, felt, Sir, that Centre and State have to work together not in a spirit of confrontation. But in a non-confrontational manner they have to work together. And, therefore, we felt that a team may go to Kolkata to discuss with the State Government and come back and tell us what the position is. I did say this to the Chief Minister; we wrote a letter to the West Bengal Government on the 28th, *i.e.* the day before yesterday. There has been no demur so far. Therefore, let me assure everyone that a team of officers is going to Kolkata to hold discussions with the West Bengal Government. This is not in any spirit of confrontation. We should work together so that the law and order ...*(Interruptions)*... Please. This is not in any spirit of confrontation, but in order to discuss the matter to help the State Government, in whatever manner we can help, so that the law and order is maintained and, in particular, the inter-party clashes — there are more than one party — come to an end, and we can all get along with the business of development. Therefore, I would appeal to the hon. Members not to read more into it, and to accept my statement and allow the House to continue.

SHRI SITARAM YECHURY (West Bengal): Sir, you must pardon me to the extent of invoking the fact that we have been the victims of the misuse of article 356, for the first time, in India's modern history. It happened twice in West Bengal and twice in Kerala. So, our apprehension stems from that score. Please understand the background in which we are agonised in raising the issue. We are extremely committed to the fact that is sacrosanct in our Constitutional scheme of things is the federal spirit of the Constitution. In that federal spirit there has to be a complementarily of work between the Centre and the State without infringing upon the rights of the State. The law and order is a State subject upon which there should be no infringement.

Now, as far as what the Home Minister has said is concerned, yes, during the past few months there has been cooperation between the Centre and the State not on the question of inter-party clashes, but more on the question of containing the Maoist violence in West Bengal and on that, I think, both the Governments are working together, and on that score we don't have any complaints. But the apprehension of the misuse of article 356 is there. I notice that it was not only us but also our fraternal or brotherly parties or the regional parties, all of them, had experienced such things, whether it is the DMK, the AIADMK, the Samajwadi Party, the RJD or Asom Gana Parishad. It includes the ruling benches. Dr. Farooq Adbullah is sitting here. He is also a part of it. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Sitaram Yechuryji, the hon. Home Minister gave a very categorical assurance. ...*(Interruptions)*...

SHRI SITARAM YECHURY: Therefore, please understand my concern.

Coming to the present point, the Home Minister has now made a statement that the Central Government does not wish to have a confrontational situation. That is very good. But the point is that the political atmosphere in which it is being done... *(Interruptions)*... But my concern is that the political atmosphere in which it is being done, the projection is that the Central Government is interfering with the law and order situation in the State if this team is going to visit only certain specific spots. That is the political context...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: That is over now. The hon. Home Minister has given an assurance. After that the apprehension is disproved. ...*(Interruptions)*... Let us carry on with the business. ...*(Interruptions)*... Your leader is speaking. I have given him an opportunity. The hon. Home Minister gave an assurance. ...*(Interruptions)*... Please.

SHRI SITARAM YECHURY: Sir, I am seeking your indulgence, as also of the Government and the Home Minister. Please understand our predicament. You have a situation here where you have the Government of India, the hon. Prime Minister and the hon. Home Minister on record saying that the greatest menace to India's internal security is the Maoist violence. You have members in the Cabinet or as Union Ministers who are, in our opinion, patronising, protecting and giving opportunities to these people. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, please.

SHRI SITARAM YECHURY: Please listen to me. I fully sympathise*...(Interruptions)...* Please understand me. I fully sympathise that such pressures will be working on the Government. Now the point is that the question of succumbing to such pressures is detrimental to the Constitution. *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: Sitaram Yechuryji, when the hon. Home Minister has given a categorical assurance on the floor of the House that it is only to work together, please let us go ahead with the business.

SHRI SITARAM YECHURY: So, I just want this Government assurance to be extended one step further that this team will not visit any other places unless there is consultation, cooperation and agreement with the State Government. That assurance we need to have. *...(Interruptions)...*

SHRI P. CHIDAMBARAM: Sir, my statement should be accepted and the business should go on.

MR. DEPUTY CHAIRMAN: Please, the Leader of the Opposition.

THE LEADER OF THE OPPOSITION (SHRI ARUN JAITLEY): Sir, we are grateful to the Home Minister *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: We are not making it a party issue. *...(Interruptions)...*

SHRI AMAR SINGH (Uttar Pradesh): Sir, it is not a party issue. *...(Interruptions)...*

श्री उपसभापति : वृंदा जी, आप हर चीज़ — आप देखिए, एक नोटिस था, उस पर hon. Home Minister. *...(Interruptions)...* No, no. *...(Interruptions)...* I request all of you *...(Interruptions)...*

SHRI S.S. AHLUWALIA (Jharkhand): Sir, you have identified the Leader of the Opposition. Please allow him to speak. *...(Interruptions)...*

श्री अमर सिंह: सब बात करेंगे, सर। ...**(व्यवधान)**... अगर आप हाऊस नहीं चलने देना चाहते, तो ठीक है। ...**(व्यवधान)**...

SHRI ARUN JAITLEY: Sir, there was a considerable doubt in our mind which had arisen. This is today in the context of one of the States, West Bengal and tomorrow it may apply to any other State. I had said in the morning that even though we have serious differences with our friends in the Left and we are also opposed to a lot of what is happening in West Bengal, but our concern is really the federal system of governance in India. The circumstances under which the news has been appearing is entirely different from what the Home Minister has today explained in the House. The Home Minister has indicated in that direction. It is his duty as the Home Minister, it is the duty of the Union Government to assist any State if there is any form of internal disturbance or Maoist violence, but not at the behest of one of their alliance partners who wants an interference in the activities of the State. Therefore, the House would like to be assured in

consonance with what he is saying that this is only a consultation process with the State Government on maintenance of law and order in the State and does not and will not constitute any form of interference in the governance of a State which all elected State Governments are supposed to do.

MR. DEPUTY CHAIRMAN: Let us continue with the business.

श्री अमर सिंह: माननीय उपसभापति महोदय, ...**(व्यवधान)**...

SHRIMATI BRINDA KARAT (West Bengal): Sir, let them speak.

SHRI SITARAM YECHURY: Sir, it will take only a few minutes. It is an important issue.

MR. DEPUTY CHAIRMAN: It is an important issue.

SHRI SITARAM YECHURY: Sir, this is a Council of States. It is our responsibility. It will take a few minutes. Please allow others also.

श्री अमर सिंह: माननीय उपसभापति महोदय, आप निश्चिंत रहें, मैं विवाद को बढ़ाने के लिए नहीं, सुलझाने के लिए खड़ा हुआ हूं। मैं नेता प्रतिपक्ष से तथा अपने साथी कामरेड येचुरी जी से पूरी तरह से सहमत हूं और मैं माननीय गृह मंत्री जी की प्रबुद्धता और प्रतिबद्धता दोनों से भी सहमत हूं, लेकिन मैं एक बात जानना चाहता हूं कि परिस्थितियों के साथ निर्णय कैसे बदल जाते हैं? एक दल जब इधर था तो प्रगतिशील वामपंथी साथियों का समर्थन उधर था, उस समय परिस्थिति कुछ थी और जब अदला-बदली हुई तो परिस्थिति बदल गई और चूंकि न सिर्फ वामपंथी दल, चार बार ये 356 के शिकार हो चुके हैं। हमें याद है कि धर्मनिरपेक्षता के प्रश्न पर, चाहे लाभ के पद का विवाद हो, टेलिफोन टेप का विवाद हो, हमारे नेता के CBI केस का विवाद हो, उसके बावजूद भी संकट में हमने समर्थन दिया, लेकिन तब हमारे ऊपर भी राष्ट्रपति शासन की तलवार और गाज गिरी, लगभग गिर चुकी थी, ...**(व्यवधान)**... बयान आ गए थे समर्थन ...**(व्यवधान)**...

श्री उपसभापति: आज के विषय पर क्या कहना है। ...**(व्यवधान)**...

श्री अमर सिंह: बिल्कुल सही है, गिर चुकी थी। ...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN: We are not discussing 356. We are not discussing 355.

श्री अमर सिंह: इसलिए यह प्रश्न ...**(व्यवधान)**...

श्री सत्यव्रत चतुर्वेदी (उत्तराखण्ड): कब गिरी? ...**(व्यवधान)**... कहां गिरी? ...**(व्यवधान)**...

श्री अमर सिंह: देखिए, आप हमारी आवाज दबा नहीं सकते। ...**(व्यवधान)**...

श्री सत्यव्रत चतुर्वेदी: कब गिरी, कहां गिरी? ...**(व्यवधान)**...

श्री अमर सिंह: आपके नेताओं का बयान है, हम नाम नहीं लेना चाहते। ...**(व्यवधान)**...

श्री सत्यव्रत चतुर्वेदी: कब गिरी, कहां गिरी? ...**(व्यवधान)**... अनावश्यक * बातें करने से क्या मतलब है। ...**(व्यवधान)**...

श्री अमर सिंह: * बात हम नहीं करते हैं। ...**(व्यवधान)**... * शब्द आप वापिस लीजिए। ...**(व्यवधान)**...

श्री सत्यव्रत चतुर्वेदी: आपने ही कहा कि हमारे ऊपर 356 की गाज गिरी। ...**(व्यवधान)**...

श्री उपसभापति: आप conclude कीजिए, अमर सिंह जी।...**(व्यवधान)**...

श्री **अमर सिंह**: सर, यह * शब्द रिकार्ड से हटवाइए। ...**(व्यवधान)**... यह * शब्द रिकार्ड से हटवाइए। ...**(व्यवधान)**... हम भी इनकी भाषा बोल सकते हैं। ...**(व्यवधान)**... * को रिकार्ड से expunge करिए। ...**(व्यवधान)**...

Expunged, as ordered by the Chair.

SHRIMATI BRINDA KARAT: Sir, this word should be expunged.

MR. DEPUTY CHAIRMAN: If it is unparliamentary, expunge it.

श्री अमर सिंह: मैं यह कहना चाहता हूं कि हम लोग भयभीत हैं, क्योंकि जब भी इनकी सत्ता आती है, तो इनके अंदर दंभ आता है।

श्री उपसभापति: यह डिबेट नहीं है।

श्री अमर सिंह: डिबेट नहीं है, इसीलिए तो मैं कह रहा हूं कि गृह मंत्री जी यह आश्वस्त करें कि किसी के दबाव से पश्चिमी बंगाल सरकार के प्रशासनिक काम में कोई हस्तक्षेप नहीं होगा और अगर ये ऐसा नहीं करेंगे तो फिर यह लोकशाही के साथ अन्याय होगा।

SHRI D. RAJA (Tamil Nadu): Sir, the hon. Home Minister has made a significant statement that the Centre is not pursuing any confrontationist method with the State Government. If that is so, then, the Minister, as demanded by several colleagues, has to clarify further that law and order is the subject-matter of the State Government, that the Centre will not, in any way, interfere as far as law and order is concerned and that the Centre will not do anything which can undermine the federal structure of our governance, which has been assured and enshrined in our Constitution. This is the simple thing which we have been demanding. Whatever happens in West Bengal is known to everybody. But what is the role of the Central Government? The Central Government should abide by the Constitutional obligations, and the Centre should not undermine the principle of federalism. They have to stand by that. The Home Minister has said that there will not be any confrontation with the State Government. At the same time,...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Kannan, don't answer him. I have not called you.

SHRI D. RAJA: That is what the Home Minister needs to clarify further and make it very clear.

DR. K. KESHAVA RAO (Andhra Pradesh): Sir, no less a person than the head of the CPI (M), the General Secretary, has said yesterday, "Let the Committee go". Why did he say that? It is because he totally agrees with what the Home Minister has said now that there is no apprehension at all. Then, why is there this sort of apprehension in the House ...*(Interruptions)*...

SHRI A. VIJAYARAGHAVAN (Kerala): He is putting words in the mouth. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: When you said something, they listened to you. When he is saying something, kindly listen to him. Don't do this...*(Interruptions)*... देखिए, विजयराघवन जी, आप बोलें तो दूसरों को सुनना है, अगर दूसरे बोलते हैं, तो आप नहीं सुनेंगे, यह क्या बात है? यह ठीक नहीं है...*(Interruptions)*... Please, Brindaji, when others listen to you, you should also listen to them. That is Parliamentary decorum.

DR. K. KESHAVA RAO: I shall cut short my point. I will not make a speech. I would only say that violating the Parliamentary procedures, by asking for suspension of the Question Hour, is as good as violating the Constitution. When the apprehensions that they have raised, are now

allayed by the statement of the Home Minister, then, where is the need for any further discussion on that? The Leader of the Opposition also has said that they were concerned in the morning, and that he is now satisfied with what the Home Minister has said. Then, why do we have this discussion at all?

श्री राजनीति प्रसाद (बिहार): सर, यह सेंटर का कोई इंस्पैक्टर राज नहीं है कि जिसको चाहे जहां भी भेज देना है, ऐसा नहीं करना चाहिए, क्योंकि इसके अंदर की बात दूसरी है, अंदर की बात कुछ और है और अगर आपको किसी को चीफ मिनिस्टर बनाना है, तो आपको यह काम नहीं करना चाहिए। यह गलत काम करने के लिए यहां बैठे हुए हैं? यह अच्छा नहीं है, क्योंकि फैडरल स्ट्रक्चर है।

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MATTERS RAISED WITH PERMISSION OF CHAIR

Notice issued by Lucknow bench of the Allahabad High Court to two civil servants on their conversation about changing the court's bench recorded in a CD

श्री अमर सिंह (उत्तर प्रदेश): उपसभापति जी, मैं एक बहुत महत्वपूर्ण विषय पर आज यह बात उठा रहा हूं। मेरी नेता, प्रतिपक्ष से बात हो रही थी, अरुण जेटली जी से बात हो रही थी, वह खुद न्याय मंत्री रहे हैं और बहुत बड़े विधिवेत्ता भी हैं। न्यायपालिका के बारे में उन्होंने व्यक्तिगत बातचीत में और सार्वजनिक तौर पर भी कई बार चिंता प्रकट की है। मुझे पिछले दिनों एक तथ्य संज्ञान में आया। उत्तर प्रदेश शासन के दो बड़े अधिकारी, उनका नाम सदन में लेना ठीक नहीं है, एक केबिनेट सेक्रेटरी, उत्तर प्रदेश और उत्तर प्रदेश के मुख्य मंत्री के प्रिंसिपल सेक्रेटरी, उत्तर प्रदेश विधान पिरषद् के एक सदस्य से बात कर रहे थे और विधान परिषद के सदस्य यह कह रहे थे कि तुम्हारा बंगला बहुत अच्छा है और वह वर्तमान मुख्य मंत्री के बंगला विस्तारीकरण का एक अंग बनना चाहिए। सात बंगले उनके अंग बन चुके हैं। अब सवाल उनके बंगले का विस्तारीकरण का है, इसके लिए मैं सदन का समय खर्च नहीं करुंगा। उस विधान परिषद् के सदस्य ने यह कह दिया कि अदालत है, कानून है, तो उन महोदयों ने कहा कि 27 तारीख के बाद अदालत और कानून का गुमान तुम्हें पता चल जाएगा और 27 तारीख के बाद सारी बेंचें बदल जाएंगी। मुझे आश्चर्य यह होता है, मैं कोई आरोप नहीं लगा रहा हूँ, कि 27 तारीख के बाद सुप्रीम कोर्ट की बेंच, जो मुख्य मंत्री का मुकदमा सुन रही है, बदल जाती है ...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN: I think we cannot discuss about the Supreme Court here ...*(Interruptions)*... Please restrain yourself. ...*(Interruptions)*...

श्री अमर सिंह: सर, मैं कोई आरोप नहीं लगा रहा हूँ...**(व्यवधान)**...

श्री अवतार सिंह करीमपुरी (उत्तर प्रदेश): महोदय, यह गलत आरोप लगा रहे हैं...**(व्यवधान)**...

श्री उपसभापति: कृपया आप बैठिए, मैं बता रहा हूँ, मैं point out कर रहा हूँ...**(व्यवधान)**... The Chair is seized of the matter. ....*(Interruptions)*...

श्री अमर सिंह: लखनऊ उच्च न्यायालय ने इस वार्तालाप को संज्ञान में ले लिया है, इसका टेप रिकॉर्ड है और इन दोनों संबद्ध अधिकारियों को नोटिस दिया गया, इसलिए यह कहना कि मैं सुप्रीम कोर्ट की अवमानना कर रहा हूँ, यह गलत है। मैं कोई आरोप नहीं लगा रहा हूँ, मैं यह सिर्फ आपको अवगत करा रहा हूँ कि लखनऊ उच्च न्यायालय ने इस बात को संज्ञान में लेकर इन दोनों अधिकारियों को नोटिस दे दिया है। मुझे ताज्जुब यह होता है कि मुख्य मंत्री सचिवालय के ये दोनों * बेंच को बदलवाने की बात कर रहे थे ...**(व्यवधान)**...

Expunged, as ordered by the Chair.